



CITY OF DULUTH
Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197
Phone: 218/730.5580 Fax: 218/723-3559

STAFF REPORT

File Number	PL 13-080	Contact	Steven Robertson
Application Type	Variance	Planning Commission Date	July 9, 2013
Deadline for Action	Application Date	May 30, 2013	60 Days July 29, 2013
	Date Extension Letter Mailed	June 14, 2013	120 Days September 27, 2013
Location of Subject	3026 Minnesota Avenue		
Applicant	City of Duluth	Contact	
Agent	Tari Rayala	Contact	trayala@duluthmn.gov
Legal Description	010- 3100- 01130		
Site Visit Date	June 29, 2013	Sign Notice Date	June 25, 2013
Neighbor Letter Date	June 15, 2013	Number of Letters Sent	29

Proposal

A variance on the set back of 6 inches from the required 25 feet rear yard setback, which will allow for a rest room addition. According to the applicant the need for public rest rooms on Park Point has been acknowledged by the City and community for years. The City of Duluth proposes to construct a public rest room for beach users at the Lafayette Community Recreation Center.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Recreation
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Preservation
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements (reference section with a brief description):

Sec. 50-14.5 - Residential-Traditional District. Minimum depth of rear yard setback: 25 feet.

Sec. 50-37.9. B - Variances. Procedures. "The Planning Commission shall . . . make a decision on the application based on the criteria in subsections 50-37.9.C through M

Sec. 50-37.9.C. - General Variance Criteria. See UDC pages 5-29 through 5-33 (paraphrased here):

Granting of variances of any kind is limited to situations where, due to characteristics of the applicant's property, enforcement of the ordinance would cause the landowner exceptional practical difficulties or undue hardship. The Planning Commission must find the following for a variance to be granted: a) That they are proposing to use the property in a reasonable manner, b) that the need for relief from the normal regulations is due to circumstances unique to the property and not caused by the landowner, c) that granting the variance will not alter the essential character of the area, d) that granting the variance is consistent with the intent of the UDC and the Comprehensive Plan.

Comprehensive Plan Findings (Governing Principle and/or Policies) and Current History (if applicable):

-Traditional Neighborhood Future Land Use. Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home-businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects and neighborhood extensions, and new traditional neighborhood areas.

Principle #6 - Reinforce the place-specific

Public and private actions should reinforce cultural, physical and economic features which have traditionally defined Duluth, its open space and its neighborhoods. This includes commercial areas providing neighborhood goods and services, ravine parks and other natural features that define neighborhood edges and view corridors to the Lake or River which serve to provide location and context.

Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):

- 1) The City of Duluth would like to remodel the existing Park Point Recreation Center by adding a restroom addition to the rear of the structure. The required rear yard setback is 25 feet; the applicant is request a variance to build up to 6 inches (1/2 foot) from the rear lot line. The rear lot line abuts the 60 foot unimproved right of way for South Lake Avenue, with the City owning the lots on the other side (the beach).
- 2) The restroom, to be functional as a public restroom for beach users, needs to be accessible to people when the community center is closed. There are topographic issues with the eastern and western portions of the lot. Other than adding the restroom to the front of the structure, which would mar its "historic" appearance, adding it to the rear of the structure make the most practical sense. As the restroom will be used by citizens visiting the beach, it is also practical to have the restroom viewable from the beach.
- 3) The need for relief is not due to circumstances created by the property owner.
- 4) The proposed addition allows the property to be used in a reasonable manner, and continued use of this property as a park and community use is consistent with the Comprehensive Land Use Plan. It is reasonable to have a public bathroom accessible to the public near a major tourist attraction.
- 5) The proposed addition will not impair supply of light or air to adjacent properties, or increase congestion on public streets, or diminish property values. It will not alter the essential character of the surrounding area. The proposal will not be visibly discernible from the road, and having structures built close to the lot line is not atypical in this area of the City.
- 6) No City, public, or agency comments were received.
- 7) Per UDC Sec. 50-37.1.N, approved variances lapse if the project or activity authorized by the permit or variance is not begun.

Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):

Based on the above findings, Staff finds that the standard for variance has been met and, therefore, recommends the Planning Commission approve the requested variance, subject to the following conditions:

- 1) Applicant construct the project in accordance with project area identified on the certificate of survey submitted by Architectural Resources, dated May 23, 2013.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



City Planning

PL 13-080

Rear Yard Variance

Legend

Zoning (Final)

ROW_STATUS

Vacated ROW

Future Land Use - Plus

Future Land Use

Preservation

Recreation

Rural Residential

Low-density Neighborhood

Traditional Neighborhood

Urban Residential

Neighborhood Commercial

Neighborhood Mixed Use

General Mixed Use

Central Business Secondary

Central Business Primary

Auto Oriented Commercial

Large-scale Commercial

Business Park

Tourism/Entertainment District

Medical District

Institutional

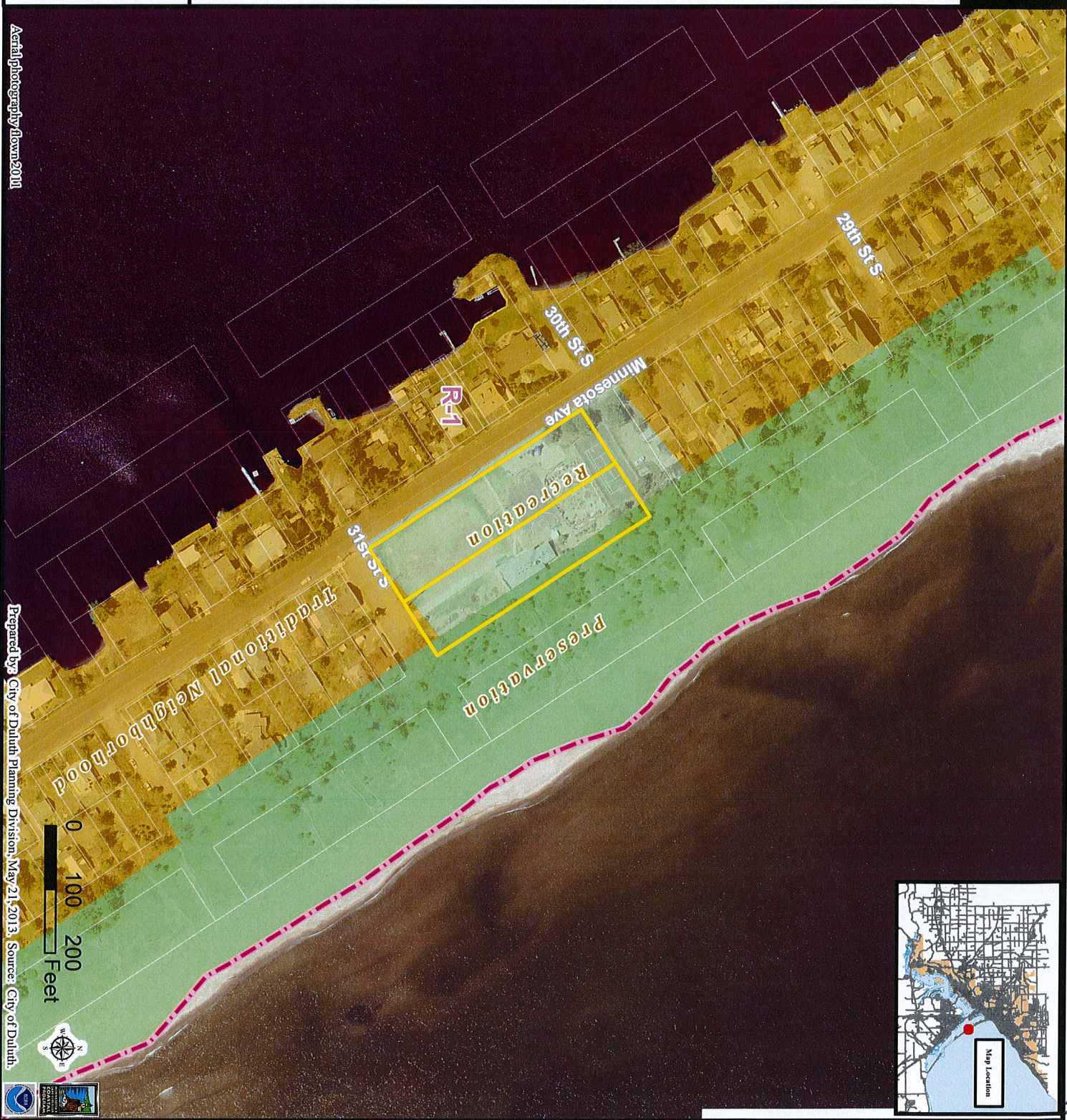
Commercial Waterfront

Industrial Waterfront

Light Industrial

General Industrial

Transportation and Utilities



Aerial photography flown 2011

Prepared by: City of Duluth Planning Division, May 21, 2013. Source: City of Duluth.





Minnesota Ave

30th St S

31st St S

R-1

Proposed Rest Room Addition



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Email: info@archresources.com

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CITY OF DULUTH
LAFAYETTE
COMMUNITY CENTER

DULUTH, MN

PROJECT NO.: 12-218

DATE: 23-MAY-2013

DRAWN BY: TTP / BML

REVISIONS:

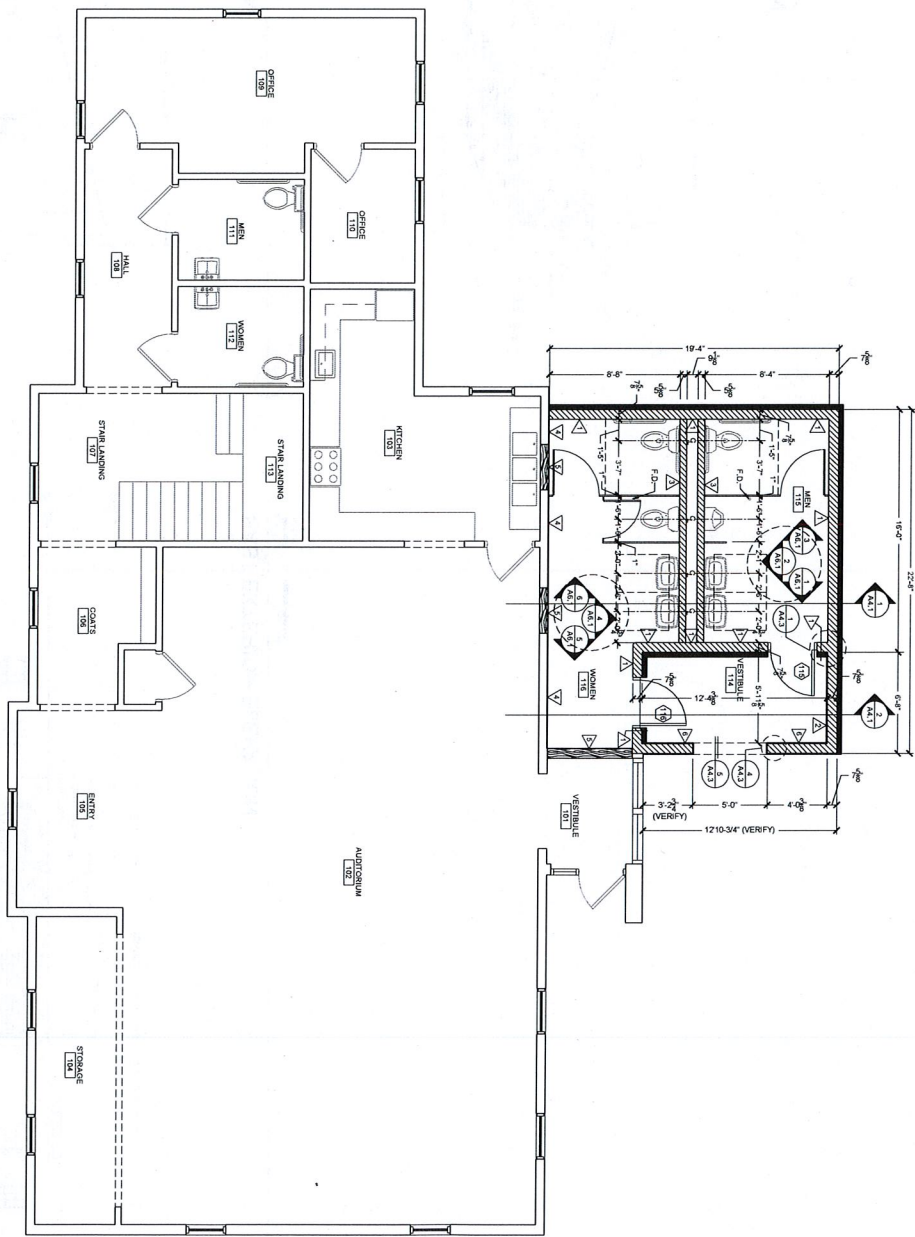
Δ MAY 28, 2013

THE CITY OF DULUTH HAS REVIEWED THIS PLAN FOR CONFORMANCE WITH THE CITY OF DULUTH DESIGN STANDARDS AND SPECIFICATIONS. THIS REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON. THE CITY OF DULUTH DOES NOT ASSUME ANY LIABILITY FOR ANY DAMAGE, INCLUDING CONSEQUENTIAL DAMAGES, ARISING OUT OF OR FROM THE USE OF THIS PLAN.

48444

FIRST FLOOR
REMODEL PLAN
WALL TYPES

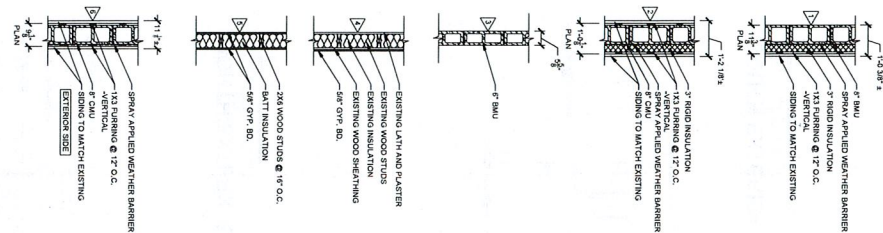
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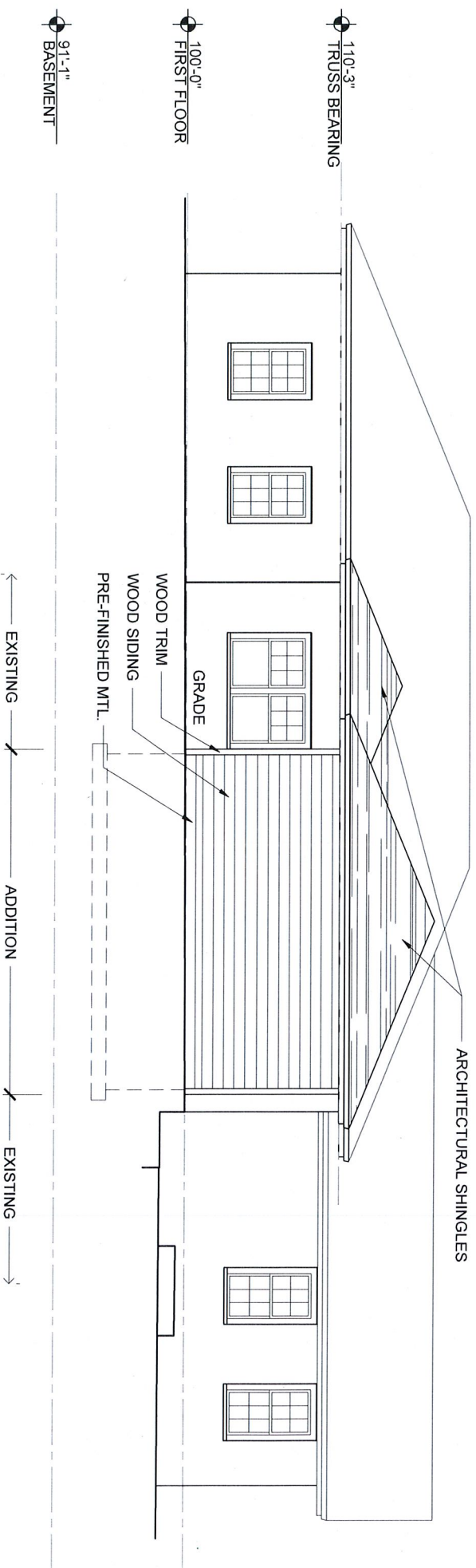
FIRST FLOOR REMODEL PLAN

SCALE
0' 1" 2' 3' 4' 5' 6'

WALL TYPES



This drawing is not a final drawing. It is a preliminary drawing and is subject to change without notice. It is not to be used for construction without the approval of the architect.



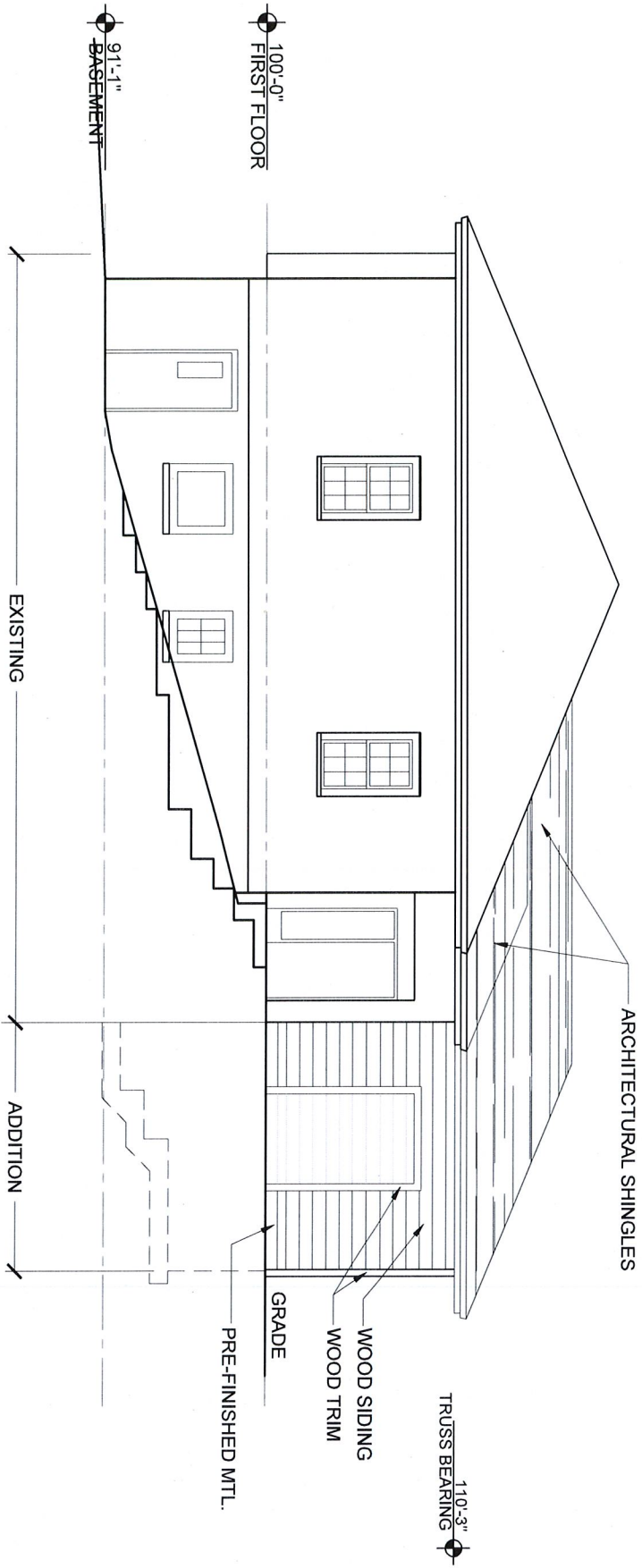
110'-3"
TRUSS BEARING

100'-0"
FIRST FLOOR

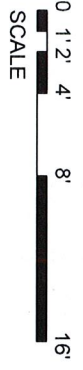
91'-1"
BASEMENT

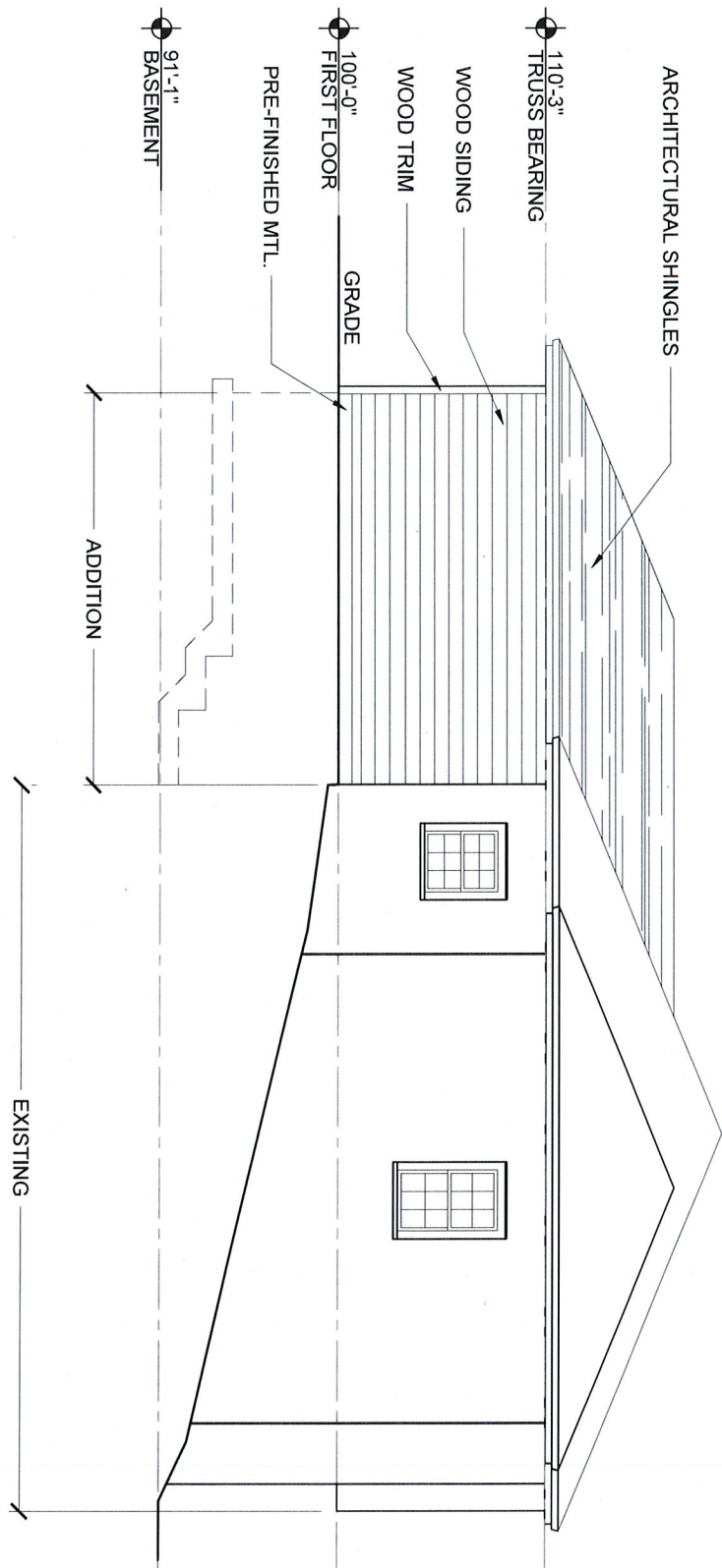
EAST EXTERIOR ELEVATION

0 1' 2' 4' 8' 16'
SCALE



SOUTH EXTERIOR ELEVATION





NORTH EXTERIOR ELEVATION

0 1' 2' 4' 8' 16'
SCALE



CITY OF DULUTH

Department of Public Administration – Maintenance Operations
Facility Management

1532 West Michigan Street
Duluth, Minnesota • 55806
Phone: 218-730-4434 • Fax: 218-730-4418

Tari L. Rayala, AIA
Facility Projects Specialist
trayala@duluthmn.gov

May 30, 2013

Variance Request to Reduce Setbacks
New Restroom Facility for Beach Users
Lafayette Recreation Center – City of Duluth
3026 Minnesota Avenue
Duluth, MN 55802

This request is to allow the placement of the Restroom Addition within the required 25' setback. The City of Duluth proposes to construct a public restroom facility for beach users at the Lafayette Community Recreation Center beach access area. The men's and women's restrooms will be attached to the Recreation Center building, on the Lake Superior side and be accessible from the beach. The need for public restrooms has been acknowledged by the community and the City for years. The restroom facility will be energy efficient, ADA compliant and provide diaper changing stations. The restrooms will be open regular hours, year round, to service this popular beach access.

Evidence that the requested variance will not have a negative impact

This request does not change the specific use of the property as a park. With the property being City owned and the building being centrally located on the block, there are essentially no immediate neighboring buildings within a half block on both sides and no neighbors towards the Lake side. The restroom addition will not be visible from Minnesota Avenue. There is little to no visual impact to neighboring structures. An addition onto the Lake side of the property is in line with the essential character of structures built on Park Point. Many of the existing structures are built within the 25' required setback. Of the six shown on the attached aerial plan, only two structures comply with the 25' required setback.

Statement of need establishing practical difficulty

The request of variance to reduce the setback is a reasonable use of the property. Due to the exceptionally steep slope which the building is set into, it is not practical to place a restroom addition on either side of the building. The purpose of the project is to provide beach users access, so putting the addition on the front is both inaccessible and inconvenient. Tying the restroom addition into the existing plumbing off the kitchen is economic and makes good sense. Other toilets in the building are located in the center of the structure, making tying in more difficult.

This desired location provides a clear and convenient access for beach users. The setback requirement of 25' is a practical difficulty to the use of the site. There is no increase in congestion of pedestrian traffic, nor does the project adversely affect neighboring structures. In reality the residents of Park Point will be pleased with the reduction of the public currently relieving themselves in the dunes and beach grasses along this section of the beach, plus provides the neighbors a clean and safe facility for their own use while walking the beach.

Although the placement of the restroom addition has been given consideration at a variety of locations, ultimately this location proves to be the best for all considerations. Please refer to attached drawings showing the site constraints due to topography.



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Ask the Historian: the Park Point Community Club Clubhouse

By Maryanne Norton On June 27, 2013 · [Add Comment](#) · In Maryann Norton : [Ask the Historian](#)

Recently a Duluth Library patron asked for help researching the history of the Park Point Community Club Clubhouse in Franklin Square at 3026 Minnesota Avenue. She didn't have a specific question, just a general interest in the building's past.

We found that on May 29, 1856, Duluth Township acquired 1.83 acres of land on Minnesota Point between Adams and Monroe Streets (now South 30th and 31st Streets) and Minnesota and South Lake Avenues (although Lake Avenue would never extend that far south, it was originally platted to reach South 40th Street.). This was the first park in what would become the city of Duluth.

The park was named Lafayette Square in honor of the Frenchman Gilbert Motier, Marquis de Lafayette, who as a young man fought many battles with the Continental Army during the American War of Independence. He became a general and served with George Washington in some of the war's historic battles. It is said that "no other foreign dignitary has ever had so many places named after him as Lafayette." So in 1856 Duluth followed other U. S. cities in honoring the Revolutionary War hero by giving his name to a special place in the fledgling city.



The 1936 Park Point Community Club clubhouse in Lafayette Square. (Image: X-com m)

Lafayette Square had no buildings on it until 1905, when the Independent Duluth School district asked the city for permission to build a school on a portion of the park to serve students living in the lower half of Minnesota Point. Those living closer to the canal attended Whittier School, which had opened along Minnesota Avenue at 12th Street in 1892. Permission was granted for a two-room frame building at the cost of \$1,808, just over \$5,000 today.

The school district named the building for another Frenchman, explorer and fur trader Pierre-Esprit Radisson. Radisson and his brother-in-law Médard Chouart des Groseilliers are thought to be the first men of European descent at the Head of the

The Radisson School (year unknown) at Lafayette Square, which served the southern half of Park Point from 1892 to 1919. (Image: Duluth Public Library)

Lakes, reaching at least as far as Chequamegon Bay at the site of today's Ashland, Wisconsin, in 1865—fourteen years before Daniel Greysolon Sieur du Lhut crossed Minnesota Point at a portage where the fledgling city would begin digging a ship canal

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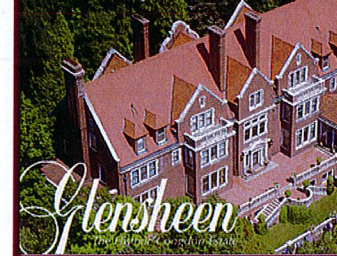
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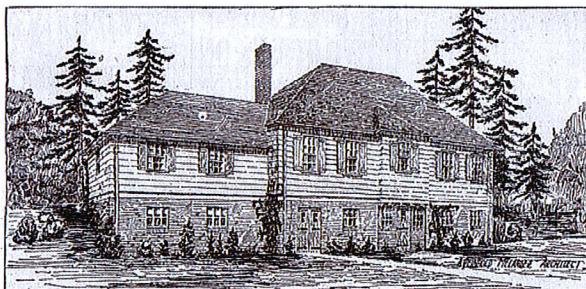
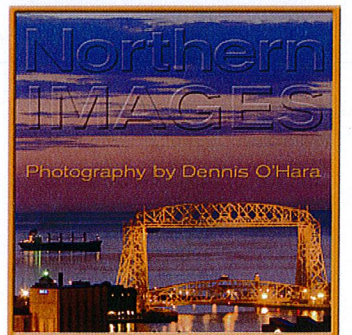
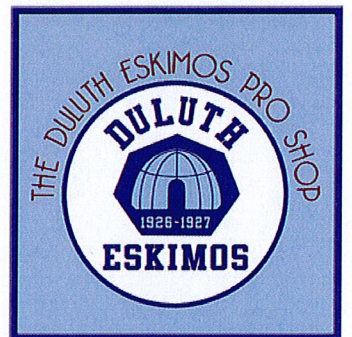
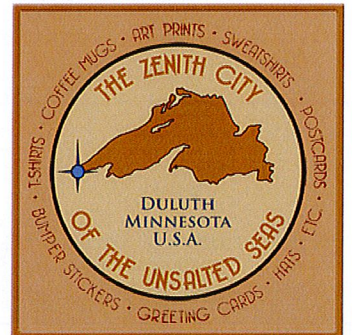
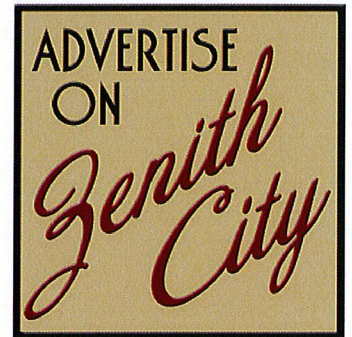
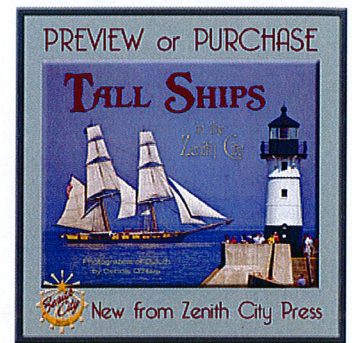
Two teachers taught grades 5 through 8 at Radisson Elementary. Records indicate that no more than 50 students attended the school at any time during the 24 years it served residents on the Point. It closed along with Whittier in 1919 when Park Point Elementary opened at 2400 Minnesota Avenue to serve all students living on the island.

After the closing of Radisson, the Duluth Board of Education gave the building to the city to use as the Park Point Community Center and, in part, as the headquarters of the Park Point Community Club. In the 1920s the club and its president Samuel Clark Dick lead the charge to convert Duluth's famous Aerial Bridge from a transfer bridge to a lift bridge, even putting forth the idea that Point residents would pay for a portion of that work. This was just another battle in the long war Point residents fought trying to construct a safe, permanent bridge over the ship canal. In 1881 Park Point, once a township called Middleton, became a village independent of Duluth because the municipal government had failed to provide an adequate way to cross the ship canal; Park Point rejoined the city in 1889 after being promised a permanent bridge, which wasn't built until 1905.

In 1922 club members asked Mayor Samuel Snively to improve Lafayette Square with landscaping, installation of benches and tables, fire grates for cooking, and a walkway across the sand from the clubhouse Lake Superior. Members of the community club volunteered to paint the old school. Many of the club's requests for improvements were probably not honored, as in following years mention is often made of the building's unsatisfactory condition. By 1933 demands for improvements in the park and clubhouse had increased, but funding for public works was difficult to obtain during the Depression.



Samuel Clark Dick, the man behind the Park Point Community Club's drive to convert the transfer bridge into the lift bridge. (Image: X-comm)



Duluth architect A. Reinhold Melander's sketch for the 1936 Park Point Community Club clubhouse. (Image: X-comm)

When the Works Progress Administration (WPA) was created to relieve national unemployment in the 1930s, Duluth took advantage of the program. The many WPA projects in Duluth included remodeling and expanding the clubhouse following plans by Duluth architect A. Reinhold Melander. His design was for a two-story building with a warming room for a skating rink, playground headquarters, a large community room with fireplace, and a branch of the Duluth Public Library that would open only on Friday afternoons and evenings. Initially the WPA funded \$20,000

for the plan, and a newspaper article about its dedication said it cost \$15,000. The 1938 Duluth Park Department Annual Report contradicts this price, indicating that total funds spent on the clubhouse and park were almost \$40,000, nearly \$650,000 today.

For the renovation, the old Radisson school building was moved northeast from its original location and raised to serve as part of the new building's second story; a full first floor was built as a warming house and playroom, and a wing was added on the north side for restrooms. A new foundation and entrance were built, landscaping was improved with evergreens, and a fence was placed along the entire Minnesota Avenue side of the square to protect the park from heavy traffic. The park's skating rink was maintained and improved. A WPA workshop provided hand-woven curtains for the library and club room. In 1937 workers installed log steps from the clubhouse to the lakeshore.



Works Project Administration workers moved Radisson School and used it in the construction of the Park Point Community Club Clubhouse in 1936. (Image: Duluth Public Library)

Dedication of the Point Point Community Center was held in September, 1936. Among the dignitaries providing speeches were club president S. Clark Dick, Mayor Samuel F. Snively, and Duluth author Margaret Culkin Banning, then president of the Duluth Library Board.



The Park Point Community Club clubhouse as it looked when it first opened in 1936. (Image: Duluth Public Library)

The Park Point Community Center has served Point residents for almost seventy seven years. For much of that time Lafayette Square supported skating and hockey rinks and fielded summer baseball teams in the park department's Midget League for boys under 14. Beginning in the 1950s boys and girls softball teams used the facilities as well. Today much of Lafayette Square is dedicated to a community garden. The Community Club has never relinquished its concerns of crossing the canal and has made several efforts—to reduce or schedule when the lift bridge is raised so that residents wouldn't get "bridged" nearly as often.

Today the Park Point Community Center remains the home of the community club, which organizes the annual Park Point Rummage Sale and Park Point Art Fair each summer. The club is also involved in the care of the Point's natural resources and keeps residents of the sandbar island informed on issues that affect them, including a current idea to straighten the "S" curve where Lake Avenue becomes Minnesota Avenue at Franklin Square (aka, the "Tot Lot") between 12th and 13th Streets.

Please share your memories of the Park Point Community Center by posting below.

Catch up on all of Maryanne Norton's "Ask the Historian" columns [here](#). Her most recent book, *Lost Duluth*, can be previewed [here](#).

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